

PTO Form 1957 (Rev 9/2005)

OMB No. 0651-0050 (Exp. 04/2009)

Response to Office Action

The table below presents the data as entered.

Input Field	Entered
SERIAL NUMBER	78734642
LAW OFFICE ASSIGNED	LAW OFFICE 109
MARK SECTION (no change)	
ARGUMENT(S)	
<p>This responds to the final refusal issued on October 26, 2006.</p> <p>The Examining Attorney has issued a final refusal claiming that the amended recitation of services in Class 35 is beyond the scope of the original recitation. Specifically, the Examining Attorney is requiring that the Applicant delete the wording "electricity." The Applicant respectfully disagrees. The original recitation of services in Class 35 clearly encompassed services related to electricity. The original Class 35 wording included the term "electrical" which was later amended to "electricity." The original wording in Class 39 also included the term "electrical": "public utility services in the nature of natural gas, fuel oil, propane, and <i>electrical power distribution</i>...." Thus, the amended recitation of services in Class 35 is not beyond the scope of the original recitation and encompasses retail, wholesale, and distributorship services in the field of electricity.</p> <p>The amended recitation of services merely clarifies the specific nature of the Applicant's services and was provided in response to the Examining Attorney's original request for an amendment. The Applicant respectfully requests that the Examining Attorney withdraw the final refusal, accept the amendment to the recitation of services in Class 35 as previously provided, and approve the application for publication at an early date.</p> <p>The Examining Attorney is invited to contact the undersigned if she has any questions.</p>	
SIGNATURE SECTION	
RESPONSE SIGNATURE	/Anna W. Manville/
SIGNATORY'S NAME	Anna W. Manville
SIGNATORY'S POSITION	Attorney for Applicant
DATE SIGNED	04/20/2007
AUTHORIZED SIGNATORY	YES
FILING INFORMATION SECTION	
SUBMIT DATE	Fri Apr 20 18:14:28 EDT 2007

TEAS STAMP

USPTO/ROA-66.100.86.10-20
070420181428156903-787346
42-3702b741a2a98da6c38113
894d816d8aa12-N/A-N/A-200
70420180855566997

PTO Form 1957 (Rev 9/2005)

OMB No. 0651-0050 (Exp. 04/2009)

Response to Office Action

To the Commissioner for Trademarks:

Application serial no. **78734642** has been amended as follows:

Argument(s)

In response to the substantive refusal(s), please note the following:

This responds to the final refusal issued on October 26, 2006.

The Examining Attorney has issued a final refusal claiming that the amended recitation of services in Class 35 is beyond the scope of the original recitation. Specifically, the Examining Attorney is requiring that the Applicant delete the wording "electricity." The Applicant respectfully disagrees. The original recitation of services in Class 35 clearly encompassed services related to electricity. The original Class 35 wording included the term "electrical" which was later amended to "electricity." The original wording in Class 39 also included the term "electrical": "public utility services in the nature of natural gas, fuel oil, propane, and *electrical power distribution*...." Thus, the amended recitation of services in Class 35 is not beyond the scope of the original recitation and encompasses retail, wholesale, and distributorship services in the field of electricity.

The amended recitation of services merely clarifies the specific nature of the Applicant's services and was provided in response to the Examining Attorney's original request for an amendment. The Applicant respectfully requests that the Examining Attorney withdraw the final refusal, accept the amendment to the recitation of services in Class 35 as previously provided, and approve the application for publication at an early date.

The Examining Attorney is invited to contact the undersigned if she has any questions.

Response Signature

Signature: /Anna W. Manville/ Date: 04/20/2007

Signatory's Name: Anna W. Manville

Signatory's Position: Attorney for Applicant

The signatory has confirmed that he/she is an attorney who is a member in good standing of the bar of the highest court of a U.S. state, which includes the District of Columbia, Puerto Rico, and other federal territories and possessions; and he/she is currently the applicant's attorney or an associate thereof; and to the best of his/her knowledge, if prior to his/her appointment another U.S. attorney or a Canadian

attorney/agent not currently associated with his/her company/firm previously represented the applicant in this matter: (1) the applicant has filed or is concurrently filing a signed revocation of or substitute power of attorney with the USPTO; (2) the USPTO has granted the request of the prior representative to withdraw; (3) the applicant has filed a power of attorney appointing him/her in this matter; or (4) the applicant's appointed U.S. attorney or Canadian attorney/agent has filed a power of attorney appointing him/her as an associate attorney in this matter.

Serial Number: 78734642

Internet Transmission Date: Fri Apr 20 18:14:28 EDT 2007

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